

Special and Regular Meeting of November 23, 2010

CALL TO ORDER 7:12 P.M.

ROLL CALL

COUNCILMEMBERS PRESENT: Feierbach, Warden, Lieberman, Wozniak, Braunstein

COUNCILMEMBERS ABSENT: None

Staff Present: City Manager Scoles, City Attorney Zafferano, Finance Director Fil, Human Resources Director Dino, Police Chief Mattei, Community Development Director de Melo, Parks and Recreation Director Gervais, Chief Building Official Nolfi, City Treasurer Violet, Deputy City Clerk Plut, City Clerk Cook.

PLEDGE OF ALLEGIANCE

Led by the Belmont Police Honor Guard

SPECIAL PRESENTATIONS

Proclamation Recognizing the 25th Anniversary of "A Christmas Carol", also known as "The Gift"

Mayor Wozniak presented the Proclamation to Mike Elkins of Notre Dame de Namur University.

Mike Elkins, Notre Dame de Namur University, expressed his gratitude to the City of Belmont and the Belmont community for its support over the past 25 years.

Councilmember Lieberman thanked Notre Dame de Namur University and Professor Elkins for the collection of toys and food.

PUBLIC COMMENTS AND ANNOUNCEMENTS

Cheryl Joseph, Notre Dame de Namur University/Co-Director, Dorothy Stang Center, thanked Belmont residents and businesses supporting the picnic in Golden Gate Park for the homeless to be held on Thanksgiving Day. She invited everyone to participate. She noted that the pets of the homeless would also receive food and veterinary care.

Kathleen Beasley, Belmont Library, outlined events taking place throughout the month of December at the Library. She noted that the Teen Resource Librarian would hold special hours in order to assist Carlmont High school students study for finals.

George Kranen, Belmont resident, thanked the City Council for forming the High Speed Rail Ad Hoc Committee. He noted that the members are taking their job seriously.

COUNCIL MEMBER COMMENTS AND ANNOUNCEMENTS

Councilmember Lieberman announced the opening of a new business in Belmont, Silly Gelato and Crepes.

Mayor Wozniak announced that applications were being accepted for the two rental units at the newly-restored Emmett House. She stated that a joint meeting between Belmont's Parking and

Traffic Safety Committee and the San Carlos Traffic Circulation Commission would be held on December 15th at Carlmont High School. She stated that the only City Council meeting to be held in December will be December 14.

In response to Councilmember Warden, Community Development Director de Melo stated that a ribbon cutting for the Emmett House would be scheduled in early 2011.

CONSENT CALENDAR

Approval of Informational Report for the U.S. Highway 101 Pedestrian/Bicycle Bridge Project, City Contract Number 433

Approval of Resolution 10296 Approving Contract Change Orders No. 1 and No. 2 with JMB Construction Inc. for an Amount Not to Exceed \$14,955 for Modification to the San Juan Pump Station Electrical System

Approval of Resolution 10297 Approving Establishment of a "No Parking" Zone between 2403 and 2405 Hastings Drive

Approval of Resolution 10298 Authorizing the City of Belmont to Renew the Contract With the Peninsula Conflict Resolution Center (PCRC) for Fiscal Year 2010-2011

Approval of Resolution 10299 Approving Amendments to Shoreway Operations Agreement with South Bay Recycling (SBR)

ACTION: On a motion by Councilmember Warden, seconded by Councilmember Feierbach, the Consent Agenda was unanimously approved by a show of hands.

HEARINGS

Public Hearing to Adopt the 2010 Edition of the California Building Code

Chief Building Official Nolfi stated that the City Council can waive further reading of this ordinance and approve its adoption this evening. He noted that information was presented previously on this matter.

Mayor Wozniak opened the Public Hearing. No one came forward to speak.

ACTION: On a motion by Councilmember Feierbach, seconded by Mayor Wozniak, the Public Hearing was unanimously closed by a show of hands.

ACTION: On a motion by Councilmember Feierbach, seconded by Councilmember Braunstein, and unanimously approved by a show of hands to waive further reading of the ordinance.

ACTION: On a motion by Councilmember Braunstein, seconded by Councilmember Warden, Ordinance 1054 Adopting the 2010 Edition of the California Building Code was unanimously approved by a show of hands.

NEW BUSINESS

Recognition of Outgoing Mayor Wozniak

Vice Mayor Feierbach presented Mayor Wozniak with a plaque and thanked her for her service as Mayor. She noted that Mayor Wozniak raised awareness of the high speed rail issue for Belmont.

Councilmember Braunstein stated that Mayor Wozniak did a good job during trying times. He noted that she worked with several acting city managers during the year, and that many projects were scaled back due to budget issues.

Councilmember Warden stated that it is not easy to be Mayor. He noted that Mayor Wozniak took a leadership role and always tried to be present at events.

Councilmember Lieberman thanked Mayor Wozniak for her service as a Belmont-San Carlos Fire Commissioner. He noted that it has not been an easy year for this assignment.

Remarks by Outgoing Mayor Wozniak

Mayor Wozniak noted that crime has been reduced in Belmont. She stated she enjoyed her year as Mayor. She noted that all the other council members have been Mayor previously, and provided assistance to her. She thanked City staff, especially Police Chief Mattei, Community Development Director de Melo, and Finance Director Fil, all of whom served as Acting City Manager throughout the year. She noted the hiring of a new permanent city manager. She also noted that this has been a difficult budget year, and she thanked the labor groups for their concessions. She thanked the staff of the Belmont-San Carlos Fire Department, and noted the issues surrounding the pending dissolution of the department. She thanked public safety personnel for helping during the recent San Bruno firestorm.

Mayor Wozniak stated that the Green Advisory Committee continues to make efforts on green issues for Belmont, and a green building ordinance has been adopted. She stated that the City has broken ground on the long-awaited Bike/Pedestrian Bridge over Highway 101. She also stated that the restored Emmett House would soon be available for occupancy. She noted that Belmont has been active in the high speed rail issue. She outlined accomplishments in the parks and open space area, such as the building of Semeria Park, the acquisition of 35 acres of open space, progress on the revised tree ordinance, and the million trees project.

Mayor Wozniak outlined regional issues and projects, such as hosting of Council of Cities and support for School Force and the Save the Music Festival. She noted that she was able to get to know more of the community during her Mayoral year. The relationship with the Belmont Chamber of Commerce has been improved. She cited the launch of the new on-line news source, Belmont Patch. She noted that the library and the schools are connected. She spoke regarding the mock city council meetings held with second graders from Nesbit School. She thanked the City Council and the community for their support.

City Manager Scoles presented Mayor Wozniak with a book and her husband with a plant.

Selection of Mayor for 2011

Councilmember Lieberman nominated Vice Mayor Feierbach as Mayor for 2011. There were no other nominations.

ACTION: On a motion by Councilmember Lieberman, Resolution 10300 Appointing Coralin Feierbach as Mayor for 2011 was unanimously approved by a show of hands.

Oath of Office for Mayor

City Clerk Cook administered the Oath of Office to Mayor Feierbach.

Remarks by Incoming Mayor

Councilmember Feierbach noted that this was her third time as Mayor. She stated that there was much controversy during her previous Mayoral terms. She introduced her family. She stated that her goals for the year included accountability, City finances, and downtown development.

Selection of Vice Mayor for 2011

Councilmember Braunstein nominated Councilmember Lieberman for Vice Mayor for 2011.

Councilmember Wozniak nominated Councilmember Warden for Vice Mayor for 2011.

City Clerk Cook explained that each nomination should be voted on in the order received.

ACTION: On the nomination of Councilmember Lieberman, said nomination failed on a vote of 2-3 (Lieberman/Braunstein yes).

ACTION: On a motion by Councilmember Wozniak, Resolution 10301 Appointing Dave Warden as Vice Mayor for 2011 was unanimously approved by a show of hands.

RECESS TO RECEPTION: 8:00 P.M.
RECONVENE 8:40 P.M.

COMMISSION, COMMITTEE, AND COUNCIL INTERGOVERNMENTAL ASSIGNMENT UPDATES, AND STAFF ITEMS

Police Department Annual Report

Police Chief Mattei thanked the City Council and City Manager Scoles for their support of the Police Department. He complimented the leadership in the Department, and noted that crime is down in Belmont due to the outstanding staff. He stated that the Department continues to build a relationship with the community, and strives to achieve more outreach. He explained that much thought went into the implementation of the red light camera program, and he clarified that the goal is compliance.

Chief Mattei expressed concerns over the increase in calls regarding out-of-control children, which could result in future mental health issues. He stated that the Department is starting a new program to try to address this situation.

Police Captain DeSmidt reviewed the Department's organizational chart. He explained that it was fully staffed, but that four employees are on disability, and many functions are being fulfilled with volunteers. He noted that several employees will likely be retiring soon, which will provide future staffing challenges. He outlined the various programs offered through the Police

Department. He explained that staff is using more electronic means of communication, including Twitter.

Police Sergeant Daley reviewed crime statistics, and noted a decrease in burglary, theft, and auto thefts. He explained that traffic and parking are major concerns, and he outlined enforcement efforts.

Police Sergeant Halleran described the red light camera program, and noted that an average of 11 violations occurs daily, and overall, 38 percent of potential citations are dismissed. He outlined the significant cases being handled by the Detective Bureau. In response to Council questions, he explained that red light camera citations are not issued by the vendor. The video is reviewed by an officer, and the citation is issued if the officer determines that he/she would have issued the citation had they been on site. He noted that pedestrian safety has likely increased, as they have been observed in proximity when the camera has been triggered. He noted that vehicular behaviors have changed.

Councilmember Warden expressed concern that Belmont Police Officers are assisting on a high volume of calls to the City of San Carlos. Chief Mattei explained that the Sheriff is doing a good job in the San Carlos, and Belmont responds in order to ensure that officers are not harmed. He noted that there is often reciprocity, and he would like to continue the good working relationship between the agencies. He noted that he could provide data regarding how many assist calls are made.

Police Captain DeSmidt clarified that there will likely be fewer assist calls under the Sheriff's watch.

Councilmember Lieberman stated that his level of respect for the Police Department increases each year.

Councilmember Braunstein commented regarding the issue with out-of-control children. He noted that it is not always a reflection of poor parenting skills. He stated that he has observed a decline in the level of respect exhibited by youth. He commented that it is a complicated issue.

Verbal report from Councilmembers on Intergovernmental (IGR) and Subcommittee Assignments

Councilmember Wozniak stated that she attended a Policymaker Working Group meeting for the Peninsula Rail. She noted that policies are likely to change under the new governor and that grant monies have been appropriated to the Central Valley portion of the high speed rail project. She explained that the Environmental Impact Report (EIR) release is likely to be extended.

Councilmember Lieberman stated that the sewer system capital project was discussed at the last SBSA (South Bayside System Authority) meeting, and that work is progressing and is financially on track. He highlighted the topics covered at the school district 2+2 meeting.

Councilmember Braunstein requested that SBSA's General Manager make a presentation at an upcoming Council meeting, or provide a written update.

Councilmember Feierbach stated that at the last C/CAG meeting, it was decided that as a cost-savings measure, the Director would not receive a salary increase this year. She noted this was no reflection on his performance.

Council Intergovernmental Assignments

The City Council reviewed and made changes to their Intergovernmental Assignments.

Councilmember Wozniak stated that she would be seeking a seat on the Sam Trans Board at the upcoming City Selection meeting in December.

Update on High Speed Rail

Community Development Director de Melo stated that the newly-formed High Speed Rail Ad Hoc Committee held its first meeting. He also confirmed the earlier discussion that the EIR would be delayed.

Councilmember Wozniak shared a letter from Burlingame City Councilmember Nagel, who was requesting information from the High Speed Rail Authority. She noted that there is still only one alignment option for Belmont, and other options have not been restored. She expressed concern regarding the ridership study.

Verbal report from City Manager

City Manager Scoles noted that a letter from Sam Trans Director Scanlon was received regarding high speed rail. It noted that the EIR is faulty if other alternatives are not studied. A response from the High Speed Rail Authority was received. He noted that Cal Train is piloting a baby bullet train schedule on the weekend, although it will not stop in Belmont. He explained that County Measure M on the November ballot passed, which provides for an additional \$10 vehicle license fee for road improvements. He outlined the League of California Cities Legislative briefing that was held recently.

City Attorney Zafferano noted that an inquiry was received regarding the pending Closed Sessions. He confirmed that Item A was related to the Notre Dame de Namur Koret Field issue.

ADJOURN TO CLOSED SESSION at this time, being 9:30 P.M.

CLOSED SESSION

- A. Conference with Legal Counsel pursuant to Government Code Section 54956.9(b), Anticipated Litigation, Significant Exposure to Litigation
- B. Conference with Real Property Negotiator Scoles pursuant to Government Code Section 54956.8: Five Parcels – APN's 043-165-030, 043-165-040, 043-165-050, 043-165-060, and 043-165-070

ADJOURNMENT at this time, being 11:00 P.M.

**Terri Cook
City Clerk**

Meeting Tape Recorded and Videotaped (not Closed Session)
Audio Recording 775